

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERT ALANIZ BARRIENTES,  
DANIEL MIGUEL CASTILLO, and  
ISRAEL ILLIJASH DAVIS,

Defendants.

CASE NO. CR06-440C

ORDER

This matter comes before the Court on the joint motion of the United States of America and Defendants Albert Barrientes, Israel Davis, and Daniel Castillo to continue the trial date (Dkt. No. 46).

The current pretrial motions cut-off date was March 5, 2007, and the current trial date is April 9, 2007. Defendants Barrientes, Davis, and Castillo have joined in the requested continuance, and the Government agrees that a continuance is necessary to allow Defendants to complete discovery and prepare for trial. Accordingly, Defendants Barrientes, Davis, and Castillo have waived speedy trial rights through May 14, 2007, or later. (Dkt. Nos. 47–49).


Given the complex nature of this case, the Court finds that a denial of the requested extensions would unreasonably deny Defendants adequate preparation by their attorneys and would deny counsel

1 reasonable time to prepare. Due to these factors, exclusion of additional time under 18 U.S.C. §  
2 3161(h)(8)(B)(iv) is appropriate.

3 The proposed continuance of the trial does not appear to prejudice any party. The Court finds  
4 that failure to grant the requested continuance likely would result in a miscarriage of justice. The Court  
5 further finds that the interests of the public and the Defendants in a speedy trial are outweighed by the  
6 ends of justices, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

7 Accordingly, IT IS HEREBY ORDERED that the pre-trial motions cut-off date shall be extended  
8 until April 2, 2007, with a new trial date of May 14, 2007. Voir dire, Trial Briefs, and Jury Instructions  
9 shall be due by May 10, 2007. The time between April 9, 2007 and the new trial date shall be excludable  
10 time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

11 SO ORDERED this 9th day of March , 2007.

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14 John C. Coughenour  
15 United States District Judge  
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